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HOUSE BILL 29

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

NICK L. SALAZAR

FOR THE RADIOACTIVE AND HAZARDOUS MATERIALS COMMITTEE

AN ACT

RELATING TO HAZARDOUS MATERIALS TRANSPORTATION; PROVIDING FOR
DISTRIBUTION OF HAZARDOUS MATERIALS TRANSPORTATION PERMIT
FEES; CREATING THE EMERGENCY RESPONSE FUND; MAKING AN
APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 74-4F-3 NMSA 1978 (being Laws 1996,
Chapter 37, Section 3) is amended to read:

"74-4F-3. HAZARDOUS MATERIALS TRANSPORTATION PERMIT--
DEPARTMENT DUTIES-- FEES. --

A. Except as provided in Section [~~4 of the~~
~~Hazardous Materials Transportation Act~~] 74-4F-4 NMSA 1978, a
person may not transport a hazardous material on a state or
federal highway without a permit from the department.

B. The department shall establish regulations for

Underscored material = new
[bracketed material] = delete

1 the issuance of hazardous materials transportation permits and
2 shall issue permits to applicants who meet the requirements of
3 the regulations.

4 C. Hazardous materials transportation permits
5 shall be issued for a period not to exceed twelve months for a
6 fee of two hundred fifty dollars (\$250), regardless of the
7 number of vehicles or combination of vehicles operated by the
8 permit applicant, or the department may issue a permit for a
9 single shipment of hazardous materials for a fee of seventy-
10 five dollars (\$75.00).

11 D. Public entities may acquire a hazardous
12 materials transportation permit exempt from the fee in
13 Subsection C of this section.

14 E. A copy of any hazardous materials
15 transportation permit issued pursuant to this section shall be
16 carried in each vehicle included under conditions of the
17 permit. Hazardous materials transportation permits shall be
18 open for inspection by any peace officer.

19 F. Fees collected pursuant to this section shall
20 be deposited in the [~~general fund~~] motor vehicle suspense fund
21 and distributed at the end of each month. The net receipts
22 collected pursuant to the provisions of this section shall be
23 distributed to the emergency response fund. "

24 Section 2. A new section of the Emergency Management Act
25 is enacted to read:

. 120579. 1

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3 **FORTY-THIRD LEGISLATURE**
4 **SECOND SESSION, 1998**
5
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7

8 **February 9, 1998**
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10
11 **Mr. Speaker:**
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13 **Your RULES AND ORDER OF BUSINESS COMMITTEE, to**
14 **whom has been referred**
15

16 **HOUSE BILL 29**
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19 **has had it under consideration and finds same to be GERMANE**
20 **in accordance with constitutional provisions.**
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22 **Respectfully submitted,**
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R. David Pederson, Chairman

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Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 8 For 0 Against

Yes: 8

Excused: Nicely, Olguin, Rodella, Ryan, Sanchez, Taylor, J.G.,
Williams, S.M

Absent: None

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1 FORTY-THIRD LEGISLATURE

2 SECOND SESSION, 1998

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6 February 17, 1998

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8 Mr. Speaker:

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10 Your TRANSPORTATION COMMITTEE, to whom has been
11 referred

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13 HOUSE BILL 29

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15 has had it under consideration and reports same with
16 recommendation that it DO PASS, amended as follows:

17 1. On page 3, line 12, after "section" insert a period,
18 strike the remainder of the line and insert in lieu thereof "Any
19 unexpended or unencumbered balance remaining in the department's
20 account at the end of any fiscal year shall revert to the
21 general fund."

22
23 2. On page 3, line 21, strike "1998" and insert in lieu
24 thereof "1999".,

1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998

3 HTC\HB 29

Page 7

4 and thence referred to the ENERGY AND NATURAL RESOURCES
5 COMMITTEE.

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7 Respectfully submitted,

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Daniel P. Silva, Chairman

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14 Adopted _____

Not Adopted _____

15 (Chief Clerk)

(Chief Clerk)

16
17 Date _____

18 The roll call vote was 10 For 0 Against

19 Yes: 10

20 Excused: None

21 Absent: Corley, Olguin

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24 123535.1

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Underscored material = new
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